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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,830

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Soon Jo Lee

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EXAMINER

HECKERT, JASON MARK

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

02/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/528,830	Applicant(s) LEE ET AL.	
	Examiner JASON HECKERT	Art Unit 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/23/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 3 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear if the connection part is between the body part and the reduced part, or just between the body part. It is also not clear whether the connection part has a reduced diameter, or if the reduced part has the reduced diameter. Appropriate correction is required.
2. Claim 5 contains language that is unclear. It is not clear what is meant by "butt welding is made except...". It appears as if words are missing, or if the grammar is so poor that it renders the claim indecipherable. Appropriate correction is required.
3. Claim 25 recites the limitation "the bead". There is insufficient antecedent basis for this limitation in the claim.
- 4.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 rejected under 35 U.S.C. 102(b) as being anticipated by Martinsson. In figure 5, Martinson depicts a cylindrical drum 12 made of stainless steel having reduced parts at opposite ends of the cylindrical body. A folded edge, or bent part,

exists on the reduced part. The reduced part has a continually reduced diameter. Any part of the reduced part can read on "connection part" as it is a very broad limitation.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 4-5, 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Martinsson in view of Riegel. Martinsson discloses that joint pressing (note item 67) and welding (col 1. line 20) are common in washing machine construction. Furthermore, it is known in the art to press and weld drums during construction. Riegel discloses a drum with a butt welded seam and bead portions formed in the body portion (figure 10). It would have been obvious at the time of invention to modify Martinsson and either use welding techniques or machine pressing, as disclosed by Riegel, as these are well known methods of drum construction.

5. Claims 6-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Martinsson. In regards to claims 6-10, changes in shape or form have been held to be obvious. *In re Dailey* 149 USPQ 47, 50 (CCPA 1966). Additionally, a change of size is generally recognized as being within the ordinary level of skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955). It is well settled that determination of optimum values of cause effective variables, such as these dimensions, is within the skill of one practicing the art. *In re Boesch*, 205 USPQ 215 (CCPA 1980). It has been held that where the

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general conditions of the claim are disclosed in the prior art, discovering optimum or workable ranges involves only routine skill in the art.

6. The claimed materials of 11-20 were known at the time of invention to be substitutes for steel and other metals and the combinations would have yielded predictable results to one of ordinary skill in the art.

7. Claim 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Martinsson in view of Barrat et al. Barrat discloses using an enamel to coat a drum to prevent erosion due to detergent. It would have been obvious at the time of invention to modify Martinsson and paint the drum as disclosed by Barrat, to prevent erosion.

8. Claim 22, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinsson in view of Boussetta et al. Martinsson does not disclose dampening bands. Boussetta discloses using metal bands 34 on a drum to reduce vibrations. It would have been obvious at the time of the invention to modify Martinsson and include bands, as disclosed by Boussetta, to reduce vibration.

9. Claim 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Martinsson in view of Boussetta and further in view of Niwa et al. Boussetta discloses a metal band. Niwa discloses a vibration dampening element comprising rubber (see abstract). It would have been obvious at the time of the invention to modify Boussetta and include rubber on the dampener, as disclosed by Niwa, to further reduce vibrations.

10. Claim 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinsson in view of Boussetta et al. and alternatively in view of Riegel. Martinsson also does not disclose beads. It appears as if the applicant's beads are grooves in the

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drum. Boussetta discloses struts or webs 30 defining a groove, which appears to be the same as the applicant's bead. The claimed elements were known in the prior art and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

11. Although examiner believes webs 30 to read on the applicant's beads, for the sake of argument, examiner presents Riegel, as discussed above, as a reference obviating butt welding and beads. Riegel discloses a drum with a butt welded seam and bead portions formed in the body portion for reinforcing the strength of the body (figure 10). It would have been obvious at the time of invention to modify Martinsson in view of Boussetta, and either use welding techniques or machine pressing, as disclosed by Riegel, as these are well known methods of drum construction.

12. Claim 1, 3, 22-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Yoon in view of Martinsson. Yoon discloses a drum with a cylindrical part, reduced parts, vibration reducing bands 40, and beads 32. Yoon does not disclose bent parts. Martinsson discloses a folded edge, or bent part, existing on a reduced part. The claimed elements were known in the prior art and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

13. Claims 2, 4-5, 25-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Yoon in view of Martinsson and further in view of Riegel. The combination of Yoon in view of Martinsson discloses all of the structural components of the applicant's invention. However, said prior art is silent as to the methods of drum construction. Martinson discloses that joint pressing (note item 67) and welding (col 1. line 20) are

common in washing machine construction. Furthermore, it is known in the art to press and weld drums during construction. Riegel discloses a drum with a butt welded seam and bead portions formed in the body portion (figure 10). It would have been obvious at the time of the invention to modify Yoon in view of Martinsson, as stated above, and further utilize pressing or welding in the construction of the drum as is known in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON HECKERT whose telephone number is (571)272-2702. The examiner can normally be reached on Mon. to Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/

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Supervisory Patent Examiner, Art
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JMH